

**UNITED STATES DISTRICT COURT
IN THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MARK HIGBEE,

Plaintiff,

Case No. 2:18-cv-13761

v.

Judge Sean F. Cox
Magistrate Judge Anthony P. Patti

EASTERN MICHIGAN
UNIVERSITY, et al.,

Defendants.

NOTICE OF APPEAL

Notice is hereby given that Defendants James Smith, David Turner, Wade Tornquist, David Woike, Rhonda Longworth, James Carroll, Joline Davis, Michelle Crumm, Mary Treder Lang, Dennis Beagen, Michael Hawks, Eunice Jeffries, Michael Morris, James Webb and Alexander Simpson, appeal to the United States Court of Appeals for the Sixth Circuit from the Opinion and Order Denying Individual Defendants' Motion to Dismiss entered in this action on July 1, 2019 (Doc. 42).

The Court of Appeals has jurisdiction over this appeal under 28 U.S.C. § 1291 and the collateral order doctrine as it is an appeal from an order denying these Defendants' motion to dismiss based on qualified and Eleventh Amendment immunity. *See, e.g., Kaminski v. Coulter*, 865 F.3d 339, 344 (6th Cir. 2017).

Respectfully submitted,

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Dated: July 8, 2019

CERTIFICATE OF SERVICE

I hereby certify that on July 8, 2019, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to all ECF participants.

Respectfully submitted,

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